

**UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TEXAS**

<p>ERIC CERVINI, WENDY DAVIS, DAVID GINS, and TIMOTHY HOLLOWAY,</p> <p style="text-align: right;">Plaintiffs,</p> <p style="text-align: center;">v.</p> <p>ELIAZAR CISNEROS, HANNAH CEH, JOEYLYNN MESAROS, ROBERT MESAROS, DOLORES PARK, and JOHN and JANE DOES,</p> <p style="text-align: right;">Defendants.</p>	<p>Civil Action No. 1:21-cv-00565-RP</p> <p>Hon. Robert Pitman</p>
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JOINT NOTICE
OF NON-PARTIES NAOMI NARVAIZ AND SHANA EVANS, AND OF PLAINTIFFS,
IN RESPONSE TO THE COURT’S ORDER SETTING HEARING

In response to the Court's June 14, 2022 "Order Setting Hearing" (Dkt. 84), non-parties Naomi Narvaiz and Shana Evans, as well as the Plaintiffs in this action, jointly notify the Court as follows:

1. On June 14, 2022, the Court issued an "Order Setting Hearing" (Dkt. 84) stating:

The court SETS the Objections and Motions to Quash Plaintiffs' Subpoena for Production of Documents and for Protective Order (Dkt. #80, #83) for hearing on June 27, 2022, at 10:00 a.m. in Courtroom Eight on the seventh floor of the Federal Courthouse located at 501 W. 5th Street, Austin, Texas 78701.

The court further ORDERS the Plaintiffs and movants to participate in a meet and confer to attempt to resolve these motions without court intervention and to file a joint notice no later than June 23, 2022, identifying the issues that have been resolved and the remaining outstanding issues.

2. On June 22, 2022, movants (non-parties Naomi Narvaiz and Shana Evans) and Plaintiffs, through counsel, met and conferred about the motions before the court in this case (Dkts. 80, 83), as well as the substantially identical motions filed in the related case of *Cervini v. Stapp*, No. 1:21-cv-00568-RP (W.D. Tex.).¹

3. As to all four motions—i.e., the motions filed by Ms. Narvaiz in this case and in *Stapp*, and the motions filed by Ms. Evans in this case and in *Stapp*—movants and Plaintiffs have agreed to negotiate in good faith about each subpoena in the normal course. To that end, counsel for Ms. Narvaiz and Ms. Evans has represented that he will provide to Plaintiffs further responses and objections to each of their respective subpoenas, in both cases, by next Friday, July 1.

4. Counsel for the movants has also represented that, by this Monday, June 27, he will

¹ In the *Stapp* case, the relevant motions by movants are docketed at numbers 51 and 52. The motions in this case (*Cisneros*) were referred to Magistrate Judge Mark Lane, *see* Text Order, (June 13, 2022), while the motions in *Stapp* remain before District Judge Robert Pitman.

file with the Court appropriate motions to withdraw the pending motions to quash on behalf of Ms. Narvaiz and Ms. Evans in each case, i.e., dockets 80 and 83 in this case and dockets 51 and 52 in the *Stapp* case.

5. In light of these developments, the parties jointly notify the Court that there are no outstanding issues to be resolved. Further, the parties respectfully suggest to the Court that the hearing set for Monday, June 27, 2022, is unnecessary and may be canceled.

DATED: June 23, 2022

Respectfully submitted,

***Attorney for Non-Parties Naomi Narvaiz
and Shana Evans***

/s/ J. Christopher Byrd

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CERTIFICATE OF SERVICE

I hereby certify that on June 23, 2022, a true and correct copy of the foregoing has been served on all counsel of record through the Electronic Case File System of the Western District of Texas, in compliance with the Federal Rules of Civil Procedure as well as via e-mail pursuant to an agreement of the parties.

/s/ Jacek Pruski